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Security Council

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Bosnia and Herzegovina, France, Germany, Lebanon, Nigeria, Portugal, Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling its resolutions 1970 (2011) of 26 February 2011, 1973 (2011) of 17 March 2011, and 2009 (2011) of 16 September 2011,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya,

Taking note of the National Transitional Council's "Declaration of Liberation" of 23 October 2011 in Libya,

Looking forward to a future for Libya based on national reconciliation, justice, respect for human rights and the rule of law,

Reiterating the importance of promoting the full and effective participation of members of all social and ethnic groups, including the equal participation of women and minority communities in the discussions related to the post-conflict phase,

Recalling its decision to refer the situation in Libya to the Prosecutor of the International Criminal Court, and the importance of cooperation for ensuring that those responsible for violations of human rights and international humanitarian law or complicit in attacks targeting the civilian population are held accountable,

Reiterating that the voluntary and sustainable return of refugees and internally displaced persons will be an important factor for the consolidation of peace in Libya,

Expressing concern at the proliferation of arms in Libya and its potential impact on regional peace and security, and also *expressing* its intention expeditiously to address that issue further,

Expressing grave concern about continuing reports of reprisals, arbitrary detentions, wrongful imprisonment and extrajudicial executions in Libya,

Reiterating its call to the Libyan authorities to promote and protect human rights and fundamental freedoms, including those of people belonging to vulnerable groups, to comply with their obligations under international law, including international humanitarian law and human rights law, and *urging* respect for the human rights of all people in Libya, including former officials and detainees, during and after the transitional period,

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Recalling its decisions in resolution 2009 (2011) to:

(a) Modify the provisions of the arms embargo imposed by paragraph 9 of resolution 1970 to provide for additional exemptions,

(b) Terminate the asset freeze imposed by paragraphs 17, 19, 20 and 21 of resolution 1970 (2011) and paragraph 19 of resolution 1973 (2011) with respect to the Libyan National Oil Corporation and Zueitina Oil Company, and to modify the asset freeze imposed by paragraphs 17, 19, 20 and 21 of resolution 1970 (2011) and paragraph 19 of resolution 1973 (2011) with respect to the Central Bank of Libya, the Libyan Arab Foreign Bank, the Libyan Investment Authority, and the Libyan Africa Investment Portfolio, and

(c) Cease the measures imposed by paragraph 17 of resolution 1973 (2011),

Recalling also its intention to keep the measures imposed by paragraphs 6 to 12 of resolution 1973 (2011) under continuous review and to lift, as appropriate and when circumstances permit, those measures and to terminate authorization given to Member States in paragraph 4 of resolution 1973 (2011), in consultation with the Libyan authorities,

Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations,

Acting under Chapter VII of the Charter of the United Nations,

1. *Welcomes* the positive developments in Libya which will improve the prospects for a democratic, peaceful and prosperous future there;

2. *Looks forward* to the swift establishment of an inclusive, representative transitional Government of Libya, and *reiterates* the need for the transitional period to be underpinned by a commitment to democracy, good governance, rule of law, national reconciliation and respect for human rights and fundamental freedoms of all people in Libya;

3. *Strongly urges* the Libyan authorities to refrain from reprisals, including arbitrary detentions, *calls upon* the Libyan authorities to take all steps necessary to prevent reprisals, wrongful imprisonment and extrajudicial executions, and *underscores* the Libyan authorities' responsibility for the protection of its population, including foreign nationals and African migrants;

4. *Urges* all Member States to cooperate closely with the Libyan authorities in their efforts to end impunity for violations of international human rights and international humanitarian law;

Protection of Civilians

5. *Decides* that the provisions of paragraphs 4 and 5 of resolution 1973 (2011) shall be terminated from 23.59 Libyan local time on 31 October 2011;

No-Fly Zone

6. *Decides also* that the provisions of paragraphs 6 to 12 of resolution 1973 (2011) shall be terminated from 23.59 Libyan local time on 31 October 2011;

7. *Decides* to remain actively seized of the matter.